



Journal of the Senate

Number 21

Tuesday, May 15, 1979

The Senate was called to order by the President at 9:00 a.m.

A quorum present—38:

Mr. President	Gorman	McClain	Steinberg
Anderson	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiasen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Frank	MacKay	Skinner	
Gordon	Maxwell	Spicola	

Excused: Senators Barron and Winn

Prayer by Louise Carlucci, wife of Senator Carlucci:

Father, in the name of Jesus, we come to your throne of mercy and grace this morning; we come with praises and thanksgiving. Praises because of *who* you are, Father, and thanksgiving because of *all* the wonderful things you do for us.

Father, this is your government, and you tell us in your word that you put each person here in the Senate. Your desire is for your will to be done. Teach them what your will is, Father, so that they will know how to make the right decisions. Give them strong convictions of right and wrong and then give them the courage and strength to stand up for them. You have chosen them, Lord, to be your ministers in government. I pray they will always call on you before making their final decisions.

Lord, on behalf of all the Senate wives, I want to thank you for our husbands. I ask you to keep your protective hand upon them. Keep them in good health, and at the end of the day, Lord, renew their strength. Help us always to be willing to fit into their plans with love, enthusiasm and joy. Continue to increase our love, patience and understanding for them. We are their strongest supporters, Lord.

Bless our Senators today, Lord, our Governor, legislators and office staff. Especially, bless my husband. This is a special day for us, Lord, and I thank you for Joe and our twenty-five years together. You said in your word that all good things come from you, so I thank you. We love you today, Father, and we thank you for your love.

In Jesus' name. Amen.

The Senate pledged allegiance to the flag of the United States of America.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, May 15, 1979:

SB 687	SB 646	SB 830	SB 1164
CS for	SB 696	SB 875	SB 1188
SB 187	CS for	SB 887	CS for
CS for	SB 680	SB 1005	SB 1245
SB 280	CS for	SB 1016	HB 269
SB 337	SB 791	SB 1026	HB 280
CS for	SB 468	SB 1122	SB 451
SB 407	CS for	CS for	SB 465
SB 473	SB 820	SB 1132	

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Judiciary-Civil recommends the following pass: SB 450 with 1 amendment

The Committee on Commerce recommends the following pass: SB 443 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Economic, Community and Consumer Affairs.

The Committee on Judiciary-Civil recommends the following pass: SB 1283

The bill was referred to the Committee on Commerce under the original reference.

The Committee on Education recommends the following pass:

SB 825 with 3 amendments SB 1103 with 3 amendments
CS for CS for HB 469 with 3 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 1208

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Commerce recommends the following pass: SB 805 with 2 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 1054 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Judiciary-Civil recommends the following pass: SB 621

The bill was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 918 with 4 amendments

The bill was referred to the Committee on Transportation under the original reference.

The Committee on Education recommends the following pass:

SB 335 with 5 amendments SB 841 with 2 amendments
SB 418 SB 1075 with 1 amendment
SB 576 with 6 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 23, SB 44

The Committee on Commerce recommends the following pass:

SB 1142 SB 1158 SB 1261 with 13 amendments

The Committee on Natural Resources and Conservation recommends the following pass:

SB 1105 with 3 amendments SB 1107 SB 1130

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Commerce recommends the following pass:
SB 951

The bill was referred to Ways and Means Subcommittee D under the original reference.

The Committee on Commerce recommends the following pass:

SB 414	SB 1052 with 5 amendments
SB 625 with 6 amendments	SB 1082
SB 886	SB 1222 with 2 amendments
SB 947 with 1 amendment	SB 1262 with 2 amendments
SB 981	HB 51
SB 1034 with 2 amendments	HB 1496 with 3 amendments
SB 1044 with 2 amendments	

The Committee on Education recommends the following pass:

SB 84	SB 1116
SB 487 with 3 amendments	HB 1311 with 1 amendment
SB 832 with 3 amendments	HB 318 with 1 amendment

The Committee on Judiciary-Civil recommends the following pass:

SB 356	HB 26	CS for HB 57 with
SB 1058	SB 1231	3 amendments

The Committee on Natural Resources and Conservation recommends the following pass:

SB 897 with 1 amendment	SB 1163 with 1 amendment
SB 982	SB 1186 with 3 amendments
SB 1003	HB 142
SB 1071 with 5 amendments	HB 340

The Committee on Ways and Means recommends the following pass: CS for HB 141 with 10 amendments

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Economic, Community and Consumer Affairs recommends a Committee Substitute for the following: SB 1004

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 930

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 833

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 290

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 925

The bill with Committee Substitute attached was referred to the Committee on Education under the original reference.

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 466

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 677

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: Senate Bills 115, 493, 494

The bills with Committee Substitute attached contained in the foregoing report were referred to the Committee on Judiciary-Civil under the original reference for SB 493.

The Committee on Commerce recommends a Committee Substitute for the following: SB 782

The bill with Committee Substitute attached was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 1135

The Committee on Commerce recommends a Committee Substitute for the following: SB 492

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1032

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 952

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 69

The Committee on Education recommends a Committee Substitute for the following: SB 237

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 1278

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 970

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Education recommends a Committee Substitute for the following: SB's 1207, 346, and 1183

The bills with Committee Substitute attached were referred to the Committee on Ways and Means under the original reference for SB 1183 and SB 1207.

The Committee on Commerce recommends a Committee Substitute for the following: CS for SB 240 (as offered by the Committee on Health and Rehabilitative Services)

The Committee on Commerce recommends a Committee Substitute for the following: SB 922

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: Senate Bills 233 and 471

The Committee on Judiciary-Civil recommends Committee Substitutes for the following: SB 14, SB 151

The Committee on Natural Resources and Conservation recommends Committee Substitutes for the following:

SB 956	SB 1017	SB 1168
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The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 1177

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

Report of Subcommittee to Standing Committee

Subcommittee E recommends favorably:

SB 11	SB 1020 with 3 amendments
SB 228 with 2 amendments	SB 1145
SB 528	HB 295 with 3 amendments
SB 756	HB 1570

to the Committee on Ways and Means.

Senator Vogt reported on the activities of the State Lands Study Committee and stated that the final report of the committee had been submitted and copies of the report were available.

On motions by Senator Johnston, the rules were waived and the schedule for the remainder of this week was changed as follows: The Senate to meet in session on Wednesday from 9:00 a.m. until 12:00 noon and from 2:00 p.m. until 5:00 p.m.; on Thursday from 9:00 a.m. to 12:00 noon; and on Friday from 9:00 a.m. until 9:30 a.m. to receive a Message from the House of Representatives relating to the general appropriations bill and the appointment of a conference committee on the bill; also changes in meetings of committees which will be shown on a revised schedule to be distributed.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Hill, by two-thirds vote SB 1157 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Vogt, by two-thirds vote Senate Bills 56, 449, 712, 859, 860, 861 and 977 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Thomas, the rules were waived and by two-thirds vote Senate Bills 403, 1010, 443 and CS for HB 510 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator MacKay, by two-thirds vote House Bills 725 and 302, were withdrawn from the Committee on Education.

On motions by Senator Spicola, by two-thirds vote SB 902 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Spicola, the rules were waived and by two-thirds vote SB 934 was withdrawn from the Committee on Judiciary-Criminal.

On motions by Senator Dunn, the rules were waived and by two-thirds vote Senate Bills 972, 1103, 1208 were withdrawn from the Committee on Governmental Operations.

On motion by Senator Holloway, by two-thirds vote SB 918 was withdrawn from the Committee on Transportation.

On motion by Senator Thomas, the rules were waived and the Committee on Economic, Community and Consumer Affairs was granted permission to consider SB 1200 on May 17.

On motions by Senator W. D. Childers, the rules were waived and the Committee on Commerce was granted permission to consider SB 403 and HB 1546 on May 17.

REQUESTS FOR EXTENSION OF TIME

May 14, 1979

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following:

SB 814 by Senator Vogt	SB 920 by Senator Ware
SB 852 by Senator McKnight	SB 940 by Senator Jenne
SB 859 by Senator Vogt	SB 949 by Senator Williamson
SB 861 by Senator Vogt	CS for HB 110 by Community Affairs Committee
SB 894 by Senator Thomas	SB 860 by Senator Vogt
SB 899 by Senator Winn	SB 961 by Senator Vogt
SB 903 by Senator Williamson	

May 14, 1979

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following:

SB 823 by Senator Carlucci

May 15, 1979

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following:

SB 30 by Senator Dunn	SB 154 by Senator Hair
SB 45 by Senator Dunn	SB 156 by Senator MacKay
SB 63 by Senator Steinberg	SB 172 by Senator Maxwell
SB 74 by Senator Steinberg	SB 182 by Senator Hair
SB 86 by Senator Chamberlin	SB 183 by Senator Hair
SB 106 by Senator Gordon	SB 184 by Senator Scarborough
SB 121 by Senator Gordon	SB 205 by Senator Poole
SB 147 by Senator Hair	

SB 206 by Senator Poole	SB 544 by Senator Steinberg
SB 241 by Senator MacKay	SB 553 by Senator MacKay
SB 318 by Senator Henderson	SB 559 by Senator Scott
SB 322 by Senator Grizzle	SB 567 by Senator Stuart
SB 333 by Senator MacKay	SB 597 by Senator Johnston
SB 403 by Senator MacKay	HB 1568 by Community Affairs Committee
SB 422 by Senator Maxwell	SB 1289 by Senator MacKay
SB 442 by Senator Steinberg	HB 279 by Representative Mica
SB 453 by Senator Tobiassen	CS for SB 710 by Senator Vogt
SB 479 by Senator Frank	
SB 491 by Senator Steinberg	

May 14, 1979

The Committee on Education requests an extension of 15 days for consideration of the following:

SB 767 by Senator Tobiassen	SB 780 by Senator Steinberg
SB 777 by Senator Steinberg	

May 15, 1979

The Committee on Education requests an extension of 15 days for consideration of the following:

SB 48 by Senator MacKay	SB 396 by Senator Peterson
SB 52 by Senator MacKay	SB 469 by Senator Frank
SB 89 by Senator Johnston	SB 470 by Senator Holloway
SB 160 by Senator Winn	SB 520 by Senator Maxwell
SB 242 by Senators Peterson and MacKay	SB 526 by Senator MacKay
SB 285 by Senator Fechtel	SB 564 by Senator Holloway
SB 306 by Senator Steinberg	SB 815 by Senator Scott
SB 382 by Senator Peterson	SB 838 by Senator Gordon
SB 384 by Senator Poole	CS for HB 1036 by House Appropriations Committee

May 11, 1979

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

SB 18 by Senator Scott	SB 387 by Governmental Operations Committee and others
SB 20 by Senator Scarborough	SB 388 by Governmental Operations Committee and others
SB 65 by Senator Steinberg	SB 391 by Governmental Operations Committee and others
SB 144 by Senator Holloway	SB 415 by Senator Tobiassen
SB 166 by Senator Don Childers and others	SB 417 by Senator Tobiassen
SB 243 by Senator Maxwell	SB 478 by Senator Frank
SB 274 by Senator Don Childers	SB 485 by Senator Dunn
SB 277 by Governmental Operations Committee and others	SB 499 by Senator Dunn
SB 294 by Governmental Operations Committee and others	SB 502 by Senator Dunn
SB 302 by Governmental Operations Committee and others	SB 535 by Senator Johnston
SB 312 by Governmental Operations Committee and others	SB 810 by Senator Hair
SB 370 by Governmental Operations Committee and others	SB 839 by Senator Maxwell
	SB 874 by Governmental Operations Committee
	HB 162 by Representative Gardner
	HB 1046 by Community Affairs Committee on Regulatory Reform
	HB 1530 by

May 15, 1979

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

SB 896 by Senator Dunn	SB 935 by Senator Dunn
SB 923 by Senator Dunn	SB 937 by Senator Dunn
CS for HB 4 by Committee on Finance & Tax and Representative Richmond and others	
HB 436 by Committee on Criminal Justice	

May 11, 1979

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following:

SB 628 by Senator Grizzle	mittee and Senator
SB 676 by Senator Vogt	Henderson
SB 712 by Senator Vogt	SB 907 by Senator Grizzle
SB 723 by Senator MacKay	SB 911 by Senator
CS for SB 593 by Economic,	Williamson
Community and Con-	SB 969 by Senators Cham-
sumer Affairs Com-	berlin and Frank

May 14, 1979

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following:

SB 1248 by Senator Stuart
HB 678 by Judiciary Committee, Representatives Thompson, Morgan, Robinson

May 10, 1979

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following:

HB 353 by Representative	SB 794 by Senator
Martinez	Williamson
SB 618 by Senator Stuart	SB 1254 by Senator Vogt

May 11, 1979

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following:

HB 437 by Criminal Justice	HB 143 by Representative
HB 1524 by Criminal Justice	Mica
	SB 934 by Transportation
	Committee

May 15, 1979

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following:

SB 26 by Senator Hender-	SB 501 by Senator Vogt
son and others	SB 552 by Senator Stuart
SB 32 by Senator Dunn	and others
SB 35 by Senator Henderson	SB 610 by Senator Gordon
SB 140 by Senator Henderson	SB 977 by Senator Vogt
SB 174 by Senator Trask	SB 985 by Senator Trask
SB 334 by Senator Skinner	SB 100 by Senator Myers
SB 389 by Senator Tobiasen	HB 315 by Representative
SB 530 by Senator Frank	Boles

May 11, 1979

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following:

SB 39 by Senator Dunn	SB 366 by Senator Peterson
SB 51 by Senator Steinberg	SB 392 by Senator Vogt
SJR 70 by Senator McClain	SB 408 by Senator Neal
SB 199 by Senator Carlucci	SB 420 by Senator Maxwell
SCR 226 by Senator Gordon	SB 575 by Senator Hair
SJR 255 by Senator Ware	SB 749 by Senator Hill
SJR 265 by Senator Gordon	SCR 843 by Senator Peterson
SB 251 by Executive	SB 890 by Senator Barron
Business Com-	and others
mittee	SM 891 by Senator Barron
SB 311 by Senator Carlucci	and others
SB 344 by Senator Barron	SB 506 by Senator Neal
SJR 353 by Senator McKnight	
and others	

May 15, 1979

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following:

SCR 472 by Senator Holloway	SM 945 by Senator Fechtel
CS for SB 827 by Senator	HB 67 by Appropriations
Johnston	Committee and Rep-
SM 900 by Senator Ware and	resentative Gustaf-
others	son
SB 931 by Senator McKnight	HB 654 by Rules and Calendar

May 11, 1979

The Special Master-Claims requests an extension of 15 days for consideration of the following:

SB 6 by Senator Scott	SB 297 by Senator Steinberg
SB 75 by Senator Holloway	SB 319 by Senator Anderson
SB 180 by Senator Peterson	SB 324 by Senator Hill
SB 247 by Senator Hill	SB 433 by Senator Jenne

May 14, 1979

The Special Master-Claims requests an extension of 15 days for consideration of the following:

HB 321 by Representative
Hattaway

May 14, 1979

The Committee on Transportation requests an extension of 15 days for consideration of the following:

HJR 609 by Committee on	HB 1548 by Committee on
Transportation	Transportation
HB 1543 by Committee on	
Transportation	

MESSAGES FROM THE GOVERNOR

The Governor advised that he had transmitted to the Secretary of State's office Senate Bills 34, 365, 3, 19, 377, 141, 606, 605 and 594 which he had approved May 9, 1979.

The Governor advised that he had transmitted to the Secretary of State's office Senate Bills 755, 1293, 188, 452, CS for SB 253 and CS for SB 254 which he had approved May 11, 1979.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed HB 1150, as amended.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment and passed HB 846, as amended.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 53.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 239.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Peterson—

SB 85—A bill to be entitled An act relating to criminal prosecutions; adding a subsection to s. 794.022, and creating s. 827.045, Florida Statutes, permitting the video-taping of the testimony of certain minors in cases involving sexual battery or child abuse, respectively; permitting the defendant to be present; repealing Rule 3.190(j), Florida Rules of Criminal

Procedure, insofar as the rule conflicts with the act; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 20, insert after "video-tape": "out of open court"

Amendment 2—On page 2, lines 1 through 4, strike all and insert: (c) *The application referred to in section (3)(a) shall be made prior to trial, and the video-taping of the testimony shall be made only after the trial has commenced. The video-taped testimony shall be admissible as evidence in the trial of the cause.*

Amendment 3—On page 2, lines 22 through 25, strike all and insert: (3) *The application referred to in section (3)(a) shall be made prior to trial, and the video-taping of the testimony shall be made only after the trial has commenced. The video-taped testimony shall be admissible as evidence in the trial of the cause.*

Amendment 4—On page 1, lines 7 and 8 in title, strike "permitting the defendant to be present;"

On motions by Senator Peterson, the Senate concurred in the House amendments.

SB 85 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	McClain	Steinberg
Anderson	Gorman	McKnight	Stuart
Carlucci	Grizzle	Neal	Thomas
Chamberlin	Hill	Peterson	Tobiasen
Childers, D.	Holloway	Poole	Trask
Childers, W. D.	Jenne	Scarborough	Vogt
Dunn	Johnston	Scott	Winn
Fechtcl	MacKay	Skinner	
Frank	Maxwell	Spicola	

Nays—None

Votes after roll call:

Yea—Hair, Myers

The bill was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Johnston—

SB 398—A bill to be entitled An act relating to the Florida Probate Code; amending s. 731.111, Florida Statutes; prescribing the time within which the Department of Revenue must file a claim against the estate of a decedent; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 28, strike "1 month" and insert: 30 days

Amendment 2—On page 1 in title, line 6, after the word, "decedent" insert: , with respect to certain taxes

Amendment 3—On page 1, line 26, after the word *estate* insert: *for taxes due under chapter 199*

On motions by Senator Johnston, the Senate concurred in the House amendments.

SB 398 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gordon	Maxwell	Thomas
Anderson	Gorman	McKnight	Tobiasen
Carlucci	Grizzle	Neal	Trask
Chamberlin	Hair	Peterson	Vogt
Childers, D.	Hill	Poole	Williamson
Childers, W. D.	Holloway	Scarborough	Winn
Dunn	Jenne	Skinner	
Fechtcl	Johnston	Spicola	
Frank	MacKay	Steinberg	

Nays—2

Scott McClain

Vote after roll call:

Yea—Myers

The bill was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with 6 amendments—

By the Committee on Health and Rehabilitative Services and Senator Skinner—

CS for CS for SB 252—A bill to be entitled An act repealing chapter 917, Florida Statutes; relating to mentally disordered sex offenders; requiring the Department of Health and Rehabilitative Services prior to January 1, 1980, to return mentally disordered sex offenders in its custody to the committing court; providing procedures for treatment by the Department of Corrections and Department of Health and Rehabilitative Services of mentally disordered sex offenders on and after January 1, 1980; requiring time spent in certain treatment programs to be considered time served on sentence; prohibiting offenders in a treatment program from participating in a work-release or community furlough program; prohibiting subsequent offenders to participate in treatment programs; providing for mental health programs approved by the Department of Health and Rehabilitative Services; allowing the Department of Health and Rehabilitative Services to establish a program to train persons to provide postdischarge treatment; adding s. 945.12(6), Florida Statutes, to provide for voluntary transfers to the Department of Health and Rehabilitative Services; amending s. 947.16, Florida Statutes, as amended by Chapter 78-417, Laws of Florida, to provide for judicial retention of jurisdiction for certain enumerated sex offenses; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 7, strike all of line 27, and insert: Section 9. The provisions of this act shall automatically repeal on June 1, 1981.

Section 10. This act shall take effect July 1, 1979.

Amendment 2—On page 2, line 9, strike "Prior to January 1, 1980" and insert: Upon completion of the treatment program

Amendment 3—On page 2, line 11, after the word "custody" insert: pursuant to chapter 917, Florida Statutes, as that chapter existed prior to July 1, 1979

Amendment 5—On page 1 in title, lines 5 and 6, strike "prior to January 1, 1980" and insert: upon completion of the treatment program

Amendment 6—On page 5, line 26, following the word "program" insert: or committed to the Department of Health & Rehabilitative Services for appropriate residential treatment

Amendment 7—On page 2, line 22, strike "January 1, 1980" and insert: July 1, 1979

On motions by Senator Skinner, the Senate refused to concur in the House amendments, and the House was requested to recede. The action of the Senate was certified to the House.

A message containing SB 130 with House amendments was referred to the Committee on Commerce.

On motion by Senator W. D. Childers, the rules were waived and the Committee on Commerce was granted permission to consider SB 130 on May 17.

MATTERS ON RECONSIDERATION

The motion by Senator Trask on May 10, that the Senate reconsider the vote by which—

SB 1273—A bill to be entitled An act relating to Citrus County; authorizing the county to adopt a comprehensive plan that need not comply with The Local Government Comprehensive Planning Act of 1975; requiring the county to adopt a plan in compliance with that act by a certain date; validating certain actions of the Board of County Commissioners toward the adoption of a comprehensive plan; providing an effective date.

—passed on May 9, was taken up and adopted; and the Senate reconsidered.

Senator Trask moved the following amendment which was adopted by two-thirds vote:

Amendment 1—On page 2, line 5, strike everything after the enacting clause and insert: Section 1. The Legislature finds that on December 5, 1978, the Circuit Court of the Fifth Judicial Circuit in and for Citrus County declared Citrus County's Master Plan (Citrus County Ordinance No. 73-04) and Zoning Ordinance (Citrus County Ordinance No. 73-05) invalid, because of procedural defects in the original adoption process; said case currently being appealed in the Second District Court of Appeal by Citrus County.

Section 2. The Legislature finds that should Citrus County be without land use regulations during the time necessary to adopt a new Comprehensive Plan pursuant to "The Local Government Comprehensive Planning Act of 1975" (chapter 75-257, Laws of Florida), irreparable harm will result to Citrus County and its citizens.

Section 3. It is the intent of this act that Citrus County be authorized to adopt a Comprehensive Plan in the shortest possible time, due to the Circuit Court's decision of December 5, 1978 relating to Citrus County's Master Plan and Zoning Ordinance; and the desire of the Legislature to protect the health, safety, and welfare of the citizens of Citrus County.

Section 4. Citrus County is hereby authorized to adopt a Comprehensive Plan pursuant to part II of chapter 163, Florida Statutes (chapter 69-139, Laws of Florida). Such Comprehensive Plan shall not be required to comply with the provisions of "The Local Government Comprehensive Planning Act of 1975" (chapter 75-257, Laws of Florida).

Section 5. The Board of County Commissioners of Citrus County, Florida, shall on or before July 1, 1980, adopt a Comprehensive Plan in compliance with "The Local Government Comprehensive Planning Act of 1975" (chapter 75-257, Laws of Florida).

Section 6. All actions taken since January 1, 1979, by the Board of County Commissioners of Citrus County, Florida, toward the adoption of a Comprehensive Plan in compliance with the provisions of part II of chapter 163, Florida Statutes, (chapter 69-139, Laws of Florida) are hereby validated.

Section 7. This act is hereby repealed on July 1, 1980 or upon the adoption by Citrus County of its land development regulation pursuant to 163.3194, Florida Statutes, whichever is sooner.

Section 8. This act shall take effect upon becoming a law.

Senator Trask moved the following amendment which was adopted:

Amendment 2—On page 1 in title, line 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to Citrus County; authorizing the Board of County Commissioners of Citrus County to adopt a Comprehensive Plan for Citrus County pursuant to part II of chapter 163, Florida Statutes (chapter 69-139, Laws of Florida); providing that said plan not be required to comply with the provisions of the Local Government Comprehensive Planning Act of 1975; pro-

viding that the Board of County Commissioners shall on or before July 1, 1980, adopt a Comprehensive Plan in compliance with the Local Government Comprehensive Planning Act of 1975; providing an effective date.

On motion by Senator Trask, by two-thirds vote SB 1273 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	McClain	Spicola
Anderson	Gorman	McKnight	Steinberg
Carlucci	Grizzle	Myers	Stuart
Chamberlin	Hair	Neal	Thomas
Childers, D.	Hill	Peterson	Tobiassen
Childers, W. D.	Holloway	Poole	Trask
Dunn	Johnston	Scarborough	Vogt
Fechtcl	MacKay	Scott	Williamson
Frank	Maxwell	Skinner	

Nays—None

On motion by Senator Peterson, the rules were waived and the Senate immediately reconsidered the vote by which—

HB 1140—A bill to be entitled An act relating to Pasco County; authorizing the Board of County Commissioners of Pasco County to construct or acquire a building or buildings for a new hospital on behalf of Pasco County; providing for those items to be included in the cost of construction; requiring the Board of Trustees of Jackson Memorial Hospital to deposit in certain funds moneys received from the operation of the hospital; authorizing the Board of Trustees to issue revenue bonds; providing for the pledging of hospital revenues as security for such bonds; declaring such bonds legal investments; providing an effective date.

—as amended passed.

On motion by Senator Peterson the Senate reconsidered the vote by which HB 1140 was placed on third reading.

On motions by Senator Peterson the Senate reconsidered the votes by which Amendments 1, 2, 3 and 4 were adopted, and by permission the amendments were withdrawn.

Senator Peterson moved the following amendments which were adopted:

Amendment 5—Strike on page 2, lines 8 through 31, page 3, lines 1 through 31, and on page 4, lines 1 through 16, and insert: Section 3. The cost of the acquisition, construction or purchase of the new hospital facility authorized in section 2 shall be deemed to include, but shall not be limited to; the cost of acquisition of sites, construction, furnishings, equipment, legal, engineering, fiscal and architectural fees and fees of any other experts or consultants, engineering or architectural studies, surveys, plans and designs for said facilities, the expense of the issuance, authorization and sale of revenue bonds, including advertisements, notices and other proceedings in connection therewith, and such other purposes as are necessary, incidental or appurtenant to the purposes authorized hereunder.

Section 4. All moneys received from the operation of such hospital shall be promptly deposited in an appropriate fund and shall be expended only in payment of bills for materials, supplies, equipment, wages, salaries or other items of expense of hospital operations, and only after the same shall have been approved by a majority of the members of the Board of Trustees of Jackson Memorial Hospital. However, moneys received from hospital operations may also be pledged and used by the Board of County Commissioners of Pasco County to pay principal and interest on revenue bonds issued by the Board of County Commissioners to finance the acquisition, construction, furnishing and equipping of the hospital capital projects authorized by this act.

Section 5. (1) The Board of Trustees of Jackson Memorial Hospital may recommend, and The Board of County Commissioners of Pasco County is authorized to issue, from time to time, or at one time, interest-bearing revenue bonds in the aggregate principal amount not to exceed \$9 million to pay

for the cost of the hospital capital project authorized in this act. The principal and interest on the revenue bonds herein authorized shall be payable solely from the revenue derived from use and operation of the hospital.

(2) Such bonds may be in coupon form and may be in such denomination or denominations, and may mature at such date or dates as may be determined by the Board of County Commissioners. The bonds shall bear an interest rate as may be determined by the issuer, without limitation. The bonds may be made redeemable before maturity, at the option of the Board of County Commissioners, at such price or prices and under such terms and conditions as may be fixed by the Board of County Commissioners prior to their issuance. The Board of County Commissioners shall determine the place or places of payment of the principal and interest on the bonds which may be at any bank or trust company within or without the state. The bonds shall be signed either by manual or facsimile signatures of such officer or officers as may be designated by the Board of County Commissioners, provided that the bonds shall bear at least one signature which is manually executed thereon, and the coupons attached to the bonds shall bear the facsimile signature or signatures of such officer or officers as shall be designated by the Board of County Commissioners. The bonds shall have the seal of the Board of County Commissioners affixed, imprinted, reproduced or lithographed thereon, all as may be prescribed in the resolution or resolutions authorizing the issuance thereof. The bonds may be sold either at public or private sale at such price or prices as the Board of County Commissioners shall determine to be in its best interests.

(3) The proceeds of the sale of the bonds shall be received, held and disbursed pursuant to the terms and subject to the conditions set out in the resolutions of the Board of County Commissioners authorizing the issuance and sale of the bonds.

Section 6. The resolutions of the Board of County Commissioners providing for the issuance and sale of the bonds authorized by this act shall contain reasonable covenants relating to the use of the proceeds of the bonds, the operation of the hospital and the collection, care and disbursement of funds of the hospital. All such covenants shall be binding upon the county.

Amendment 6—On page 1 in title, line 11, strike the word "Trustees" and insert: County Commissioners of Pasco County

On motion by Senator Peterson, by two-thirds vote HB 1140 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	McKnight	Steinberg
Anderson	Hair	Myers	Stuart
Carlucci	Hill	Neal	Thomas
Chamberlin	Holloway	Peterson	Tobiassen
Childers, D.	Jenne	Poole	Trask
Childers, W. D.	Johnston	Scarborough	Vogt
Dunn	MacKay	Scott	Williamson
Fechtcl	Maxwell	Skinner	
Frank	McClain	Spicola	

Nays—None

On motion by Senator W. D. Childers, the rules were waived by unanimous consent and the Senate reverted to Introduction for the purpose of introducing the following bill out of order:

INTRODUCTION

By Senator W. D. Childers—

SCR 1298—A concurrent resolution commending the credit unions in this state and the officials, managers, employees, volunteers, and members thereof.

—which was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator W. D. Childers, by two-thirds vote SCR 1298 was withdrawn from the Committee on Rules and Calendar and placed on the calendar. On motions by Senator W. D. Childers by unanimous consent, SCR 1298 was taken up out of

order and by two-thirds vote read the second time in full, adopted and certified to the House. The vote was:

Yeas—30

Mr. President	Gorman	McKnight	Stuart
Anderson	Hair	Peterson	Thomas
Carlucci	Hill	Poole	Tobiassen
Chamberlin	Holloway	Scarborough	Trask
Childers, W. D.	Jenne	Scott	Vogt
Dunn	Johnston	Skinner	Williamson
Fechtcl	MacKay	Spicola	
Frank	McClain	Steinberg	

Nays—None

Vote after roll call:

Yea—Myers

SPECIAL ORDER

SB 687—A bill to be entitled An act relating to funding for certain revenue-producing projects; authorizing the Department of Transportation to covenant to complete a certain revenue-producing project in Broward County; providing approval therefor; providing an appropriation; providing for repayment; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendments which were moved by Senator Williamson and adopted:

Amendment 1—Strike on page 2, all of line 3 through and including line 31 and on page 3, all of line 1 through and including line 5 and insert: limit of which shall be the interchange with U.S. Highway 441, thence proceeding westerly to a full-interchange with the Florida Turnpike, thence proceeding westerly to a half-interchange with Davie Road, thence proceeding westerly to a full-interchange with University Drive, thence proceeding westerly to a full-interchange with Pine Island Road, thence proceeding westerly to a half-interchange with Nob Hill Road, thence proceeding westerly to a half-interchange with Hiatus Road, thence proceeding westerly to a full-interchange with Flamingo Road, thence proceeding westerly to a grade crossing at S.W. 136th Avenue, thence proceeding westerly to the interchange with Interstate Highway 75, which shall be the terminus.

Section 3. Any of the interchanges of the project described in Section 2 of this act may be partially or wholly funded from other available sources including federal aid highway funds. Any first gas tax funds, other than the amounts needed to match such federal aid, shall be expended in accordance with the provisions of s. 339.08(3).

Section 4. This act shall take effect July 1, 1979.

Amendment 2—On page 1 in title, strike all of line 6 through and including line 8 and insert: county; providing approval therefor; providing an effective date.

On motion by Senator Williamson, by two-thirds vote SB 687 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Carlucci	Grizzle	McKnight	Stuart
Chamberlin	Hair	Neal	Thomas
Childers, D.	Hill	Peterson	Tobiassen
Childers, W. D.	Holloway	Poole	Trask
Dunn	Jenne	Scarborough	Vogt
Fechtcl	Johnston	Scott	Ware
Frank	MacKay	Skinner	Williamson

Nays—None

Vote after roll call:

Yea—Myers

On motion by Senator Williamson, the rules were waived and SB 687 after being engrossed was ordered immediately certified to the House.

The President introduced the Honorable Philip Crane, United States Congressman from Illinois, who addressed the Senate.

By the Committee on Education and Senators Fechtel and Peterson—

CS for SB 187—A bill to be entitled An act relating to education; amending s. 228.041(13), (21), Florida Statutes, defining terms; amending s. 228.051, Florida Statutes, deleting provisions classifying schools into kindergartens, elementary schools, and secondary schools; amending s. 228.195(4), Florida Statutes, providing for state matching of federal requirements for National School Lunch Act; amending s. 230.23(3), (4)(f), (g), (5), (9)(a), Florida Statutes, 1978 Supplement; specifying a 5-year school operation program; requiring school boards to notify the Commissioner of Education when planning to extend the school year; deleting provisions limiting number of school holidays; deleting provision that schools open after Labor Day and close prior to June 1; deleting requirement that holidays be uniform for all schools; deleting specific provisions relating to the appointment of non-instructional personnel and instructional staff and providing general procedure for hiring employees; providing that the school building program shall be part of the 5-year program for the district; amending s. 230.231(2), (3)(d), (5), Florida Statutes; providing that student services programs apply to vocational-technical centers; providing procedure for follow-up studies; providing certain responsibilities for job placement personnel; amending s. 230.33(5), (7), (11)(a), (12)(a)-(c), (g), (13)(a), (b), (14), (15), (23), Florida Statutes, 1978 Supplement; authorizing school superintendents to nominate in writing persons to fill vacancies; requiring nominations for reappointment of instructional staff to be made after conference with principal; amending s. 231.031, Florida Statutes; providing for continued employment beyond age of 70 of instructional personnel under certain conditions; amending s. 231.06, Florida Statutes; providing protection for any school district employee against assaults; amending s. 231.07, Florida Statutes; deleting a provision relating to insulting of instructional personnel by certain persons; amending s. 231.09, Florida Statutes; deleting requirement that specific courses be taught; deleting certain duties of instructional staff; amending s. 231.29(2), Florida Statutes, deleting provisions requiring superintendents to furnish the Department of Education with a complete statement of the criteria and procedure to be used in maintaining records of school personnel; amending s. 231.39(2), Florida Statutes; deleting the provision that military leave shall not be counted for allocation of minimum foundation funds; amending s. 231.40, Florida Statutes; providing a definition of "illness" for sick leave purposes; requiring persons absent due to illness to notify their immediate supervisor; amending s. 231.48(2), Florida Statutes; authorizing school boards to provide terminal pay to administrative staff at time of normal retirement; modifying definition of "normal retirement"; amending s. 232.26(1)(b), Florida Statutes; providing for school board rules governing student suspensions; amending s. 233.061, Florida Statutes; providing recommended curriculum and programs; amending s. 236.02(3), Florida Statutes, requiring each district which participates in the state appropriations for the Florida Education Finance Program to adopt rules relating to the appointment, transfer, suspension, and dismissal of school personnel; deleting provisions prescribing the duties of the district with regard to specific employment policies for instructional personnel; authorizing each district school board to permit a maximum of six paid holidays for instructional staff each year and to provide reasonable time for vacation and absences for further professional studies for personnel employed on a 12-month basis; amending s. 236.39, Florida Statutes; eliminating requirement that qualified electors in a school bond election be freeholders; amending s. 237.091(1), Florida Statutes; eliminating provision that the school budget be approved as official by the Department of Education; amending s. 237.101, Florida Statutes; eliminating requirement that the Department of Education be joined in suits seeking relief which require a change in the official school budget; amending s. 238.07(1), Florida Statutes; eliminating the 70-years mandatory retirement age; transferring s. 233.0671, Florida Statutes, to part II of chapter 230, Florida Statutes, and renumbering as s. 230.7751, Florida Statutes, relating to courses

of study in care of nursing home patients; repealing s. 228.041(14), (22), Florida Statutes, as amended, relating to definitions of "school month" and "school lunch personnel"; repealing ss. 229.065, 229.0651, Florida Statutes, relating to obsolete bond issues; repealing s. 229.514, Florida Statutes, relating to authority of Commissioner of Education to reallocate certain duties assigned to the Department of Education; repealing s. 229.801, Florida Statutes, relating to flexible staff operations for public schools; repealing s. 229.8025, Florida Statutes, relating to pilot programs; repealing s. 229.806, Florida Statutes, relating to advertising and promoting teaching; repealing s. 229.821, Florida Statutes, relating to insurance or surety bonds to indemnify certain students; repealing s. 230.232(2), (4), (5), (6), Florida Statutes, and repealing s. 230.232(3), Florida Statutes, as amended, relating to pupil assignment; repealing s. 230.29, Florida Statutes, relating to the location of the office of superintendent of schools; repealing ss. 230.65, 230.651, Florida Statutes, relating to support of and allocation of construction funds to area vocational-technical centers; repealing s. 230.67, Florida Statutes, relating to job placement and follow-up; repealing ss. 230.7661, 230.767(2), (4)(b), Florida Statutes, relating to transportation funding for community colleges; repealing s. 231.3505, Florida Statutes, relating to school district and community college employment of vocational education directors; repealing s. 231.46, Florida Statutes, relating to furnishing forms; repealing s. 233.055, Florida Statutes, relating to remedial reading; repealing s. 233.063(3)(c), (d), Florida Statutes, relating to state appropriation for driver education; repealing s. 233.064, Florida Statutes, relating to a required high school course in Americanism versus Communism; repealing s. 233.065, Florida Statutes, relating to patriotic programs; repealing s. 233.066, Florida Statutes, relating to elementary and secondary school counseling services; repealing s. 233.0681, Florida Statutes, as amended, relating to occupational specialists; repealing s. 233.06(9), Florida Statutes, relating to school librarians with less than 10 years service earning retirement credit after reaching age 70; providing an effective date.

—was read the first time by title and SB 187 was laid on the table.

On motion by Senator Fechtel, by two-thirds vote CS for SB 187 was read the second time by title.

Senators Fechtel and Peterson offered the following amendments which were moved by Senator Fechtel and adopted:

Amendment 1—On page 37, strike all of lines 8 through 16, inclusive and insert:

Section 23. Section 231.3505, Florida Statutes, is amended to read:

231.3505 Employment of directors of vocational education in school districts ~~district schools~~ and community colleges.—Each school district ~~and community college with a department designated by the state board as an area vocational school and which generates earnings through instruction units in vocational education funds in programs employing at least 15 full-time equivalent teachers, in order to earn these funds, a special teacher services unit, and each community college with a department designated by the state board as an area vocational school and which earns, through instruction units in occupational education, an administrative and special instruction services unit,~~ shall employ an individual who is certified by the Department of Education as director of vocational education to administer a districtwide or community college program in vocational education. The position shall be on the staff of the superintendent of schools or community college president and shall be at a level requiring involvement in the planning and implementation of vocational programs. Pursuant to ~~rules regulations~~ promulgated by the state board, two or more school districts, two or more community college districts, or combinations thereof may jointly hire a single director, ~~or until such time as a school district or community college employs at least 15 full-time equivalent teachers, the certified vocational director may be assigned additional responsibilities.~~

Section 24. Subsections (14) and (22) of section 228.041, sections 229.065, 229.0651, 229.514, 229.801, 229.8025, 229.806, 229.821, Florida Statutes, subsections (2), (4), (5), and (6) of sec-

tion 230.232, Florida Statutes, subsection (3) of section 230.232, Florida Statutes, as amended by chapter 78-95, Laws of Florida, sections 230.29, 230.65, 230.651, 230.67, 230.7661, Florida Statutes, subsection (2) and paragraph (b) of subsection (4) of section 230.767, Florida Statutes, sections 231.46, 233.055,

(Renumber subsequent section.)

Amendment 2—On page 24, line 2, strike the period and insert: *, and such instruction shall include instruction in the essentials of the United States Constitution and flag education. In teaching such subjects, members of the instructional staff shall labor faithfully and earnestly for the advancement of the pupils in their studies, deportment and morals, and embrace every opportunity to inculcate, by precept and example, the principles of truth, honesty and patriotism and the practice of every Judeo-Christian virtue*

Senators McClain and Trask offered the following amendment which was moved by Senator McClain and adopted:

Amendment 3—On page 32, line 23, insert after the word "education": including the true effects and implications of alcohol and narcotics on the human body and mind and adverse effects of cigarette smoking;

Senator Johnston moved that the Senate reconsider the vote by which Amendment 2 was adopted. The motion failed.

Senators Fechtel and Peterson offered the following amendments which were moved by Senator Fechtel and adopted:

Amendment 4—On page 5, in title, strike all of lines 10 through 13, inclusive and insert: community colleges; repealing s. 231.46

Amendment 5—On page 4, in title, line 10, after the semicolon insert: amending s. 231.3505, Florida Statutes; requiring certain school districts and community colleges which generate vocational education funds to employ a certified director of vocational education; providing that such director may be assigned additional responsibilities under certain circumstances;

On motion by Senator Fechtel, by two-thirds vote CS for SB 187 as amended was read the third time by title.

Senator Williamson moved the following amendment:

Amendment 6—On page 37, line 18, insert: section 233.064, 233.065, 233.066,

Senator Fechtel moved the following amendment to Amendment 6 which was adopted:

Amendment 6A—On page 1, line 3, strike "233.066"

Amendment 6 as amended failed.

CS for SB 187 as amended passed, was ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

Mr. President	Gorman	McKnight	Thomas
Anderson	Grizzle	Neal	Tobiasen
Carlucci	Hill	Peterson	Trask
Chamberlin	Jenne	Poole	Vogt
Childers, W. D.	Johnston	Scott	Williamson
Dunn	MacKay	Spicola	
Fechtlet	Maxwell	Steinberg	
Frank	McClain	Stuart	

Nays—3

Childers, D. Gordon Scarborough

Votes after roll call:

Yeas—Hair, Myers

By the Committee on Judiciary-Criminal and Senators Anderson and Fechtel—

CS for SB 280—A bill to be entitled An act relating to arrests; creating s. 901.35, Florida Statutes; authorizing peace officers, owners, lessees of farms, ranches, orchards, fruit groves, nurseries, gardens, fish hatcheries, or fish farms to take into custody and detain persons for theft upon probable cause; exempting such officers, owners, lessee or designated representative of the owner or lessee from certain criminal or civil liability; authorizing peace officers to make arrests on or off the premises without warrant upon probable cause; exempting an owner, lessee or designated representative of such owner or lessee who causes an arrest of a person for theft from certain criminal or civil liability; prohibiting persons from resisting attempts to recover stolen property by such officers, owners, lessee or designated representative of the owner or lessee under certain circumstances; providing penalties; providing an effective date.

—was read the first time by title and SB 280 was laid on the table.

On motion by Senator Anderson, by two-thirds vote CS for SB 280 was read the second time by title.

The Committee on Agriculture offered the following amendments which were moved by Senator Anderson and adopted:

Amendment 1—On page 2, between lines 29 and 30, insert the following and renumber subsequent subsection and sections: (4) Upon conviction for petit theft involving agricultural products taken from a farm, ranch, orchard, fruit grove, nursery, garden, fish hatchery, or fish farm, the offender shall be punished as provided in s. 812.014(2)(c) except that the court shall impose a fine of not less than \$50 nor more than \$1,000.

Amendment 2—On page 1, in title, line 16, after the semicolon insert: prescribing penalties for persons convicted of petit theft involving certain agricultural products;

Senator McClain moved the following amendment:

Amendment 3—On page 2, strike everything after the period on line 11 through line 16 and lines 22-29

Senator Williamson moved that consideration of CS for SB 280 be deferred. The motion failed.

Senator Dunn moved the following substitute amendment for Amendment 3 which was adopted:

Amendment 4—On page 2, line 16, after "detention" insert:

The privilege or immunity granted in this subsection shall be subject to the conditions that: (i) the officer, owner, lessee, or representative had probable cause to believe that the person violated this chapter, and (ii) the officer, owner, lessee or representative acted in good faith and reasonably under the circumstances.

Senator Williamson moved the following amendment which was adopted:

Amendment 5—On page 2, line 16, insert: In the event a person is taken into custody, a peace officer shall be called to the scene immediately after the person has been taken into custody

On motion by Senator Anderson, by two-thirds vote CS for SB 280 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—26

Mr. President	Frank	Maxwell	Stuart
Anderson	Gorman	McKnight	Thomas
Carlucci	Hair	Myers	Tobiasen
Chamberlin	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Johnston	Skinner	
Fechtlet	MacKay	Steinberg	

Nays—10

Gordon	Jenne	Scarborough	Williamson
Grizzle	McClain	Scott	
Henderson	Neal	Ware	

Votes after roll call:

Yea—Spicola

Yea to Nay—Skinner

On motion by Senator Johnston, the rules were waived and the Senate reverted to—

INTRODUCTION

By Senator Neal—

SB 1295—A bill to be entitled An act relating to the Sebring Utilities Commission of Sebring; amending section 3 of chapter 23535, Laws of Florida, 1945; providing terms of office for members of the Sebring Utilities Commission; amending section 8 of chapter 23535, Laws of Florida, 1945; authorizing the commission to establish bidding procedures; amending section 9 of chapter 23535, Laws of Florida, 1945; authorizing the commission to pay expenses, provide amounts therefor within the current revenue of the commission; amending section 11 of chapter 23535, Laws of Florida, 1945; authorizing the commission to establish procedures for disbursement of funds and providing for bonds of persons authorized to disburse same; amending section 12.05 of chapter 23535, Laws of Florida, 1945, as created by section 2 of chapter 27893, Laws of Florida, 1951; requiring all revenue bonds or certificates to be sold at public sale; amending section 12.09(d) of chapter 23535, Laws of Florida, 1945, as created by section 2 of chapter 27893, Laws of Florida, 1951; providing for publication of certain notices in a newspaper of general circulation; amending section 12.13 of chapter 23535, Laws of Florida, 1945, as created by section 2 of chapter 27893, Laws of Florida, 1951; providing for the sale of bonds or certificates and for a lien on revenues and for redemption of such bonds or certificates; amending section 13 of chapter 23535, Laws of Florida, 1945; requiring the commission to make an annual report to the city council; providing procedures for keeping records and accounts; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senator Dunn—

SB 1296—A bill to be entitled An act relating to the Halifax Hospital Medical Center, Volusia County; amending sections 7 and 8 of chapter 11272, Laws of Florida, 1925, as amended; eliminating the \$6.2 million dollar limitation upon bonds issued by the District and substituting therefor an aggregate amount to be determined by the Board of Commissioners; removing the dollar limitation upon monies that can be borrowed for a period not to exceed 1 year and substituting therefor an amount to be determined by the Board of Commissioners; removing restrictions on the interest to be paid on notes and bonds issued by the District and empowering the Board of Commissioners to determine the interest to be paid on said bonds and notes; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Ways and Means—

SB 1297—A Bill to be entitled An act making appropriations; providing moneys for the annual periods beginning July 1, 1979 and July 1, 1980, to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 11.61, 27.34(2), 27.54(3), 112.075, 215.32(2)(c), 216.22, 216.221, 216.262, 216.29, 216.292, 216.301, 216.351, 228.195(4), 230.765, 257.22, 393.063(6), and 402.17(3), Florida Statutes; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

On motions by Senator Johnston, by two-thirds vote SB 1297 was withdrawn from the Committee on Ways and Means and by two-thirds vote placed on the special order calendar for May 16.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 918, 954, 590, 1217, 892, 1130, 1278, 941, 1166, 879 and SB 1207 with Committee Substitute were withdrawn from the Committee on Ways and Means.

On motions by Senator Gordon, the rules were waived and by two-thirds vote SB 461 was withdrawn from Ways and Means Subcommittee D and the Committee on Ways and Means and SB 1109 was withdrawn from Ways and Means Subcommittee E and the Committee on Ways and Means.

On motion by Senator Johnston, the rules were waived and by two-thirds vote HB 182 was withdrawn from the Committee on Health and Rehabilitative Services.

SPECIAL ORDER, continued

SB 337—A bill to be entitled An act relating to mobile homes; adding s. 320.77(3)(g), Florida Statutes, 1978 Supplement; amending s. 320.8225(2), Florida Statutes, 1978 Supplement; requiring applicants for license as a mobile home dealer or mobile home manufacturer to make certain affirmations; creating s. 320.8286, Florida Statutes; prohibiting counties and local governments from licensing mobile home dealers, mobile home manufacturers, or their employees to engage in setup operations; providing an effective date.

—was read the second time by title.

Senator Poole moved the following amendments which were adopted:

Amendment 1—On page 1, lines 16-31, page 2, lines 1-31, page 3, lines 1-31, and on page 4, lines 1-11, strike: all of said lines inclusively and renumber subsequent sections.

Amendment 2—On page 4, line 21, after the period insert: *Provided, however, such dealer or manufacturer shall be required to obtain a local occupational license for his permanent business location or branch office, which license shall not require for its issuance any conditions other than those required by Chapter 320, Florida Statutes.*

Amendment 3—On page 4, lines 22-25, strike all of said lines and renumber subsequent section

Amendment 4—On page 1 in title, lines 2-7, strike all of said lines and insert: An act relating to mobile homes;

On motion by Senator Poole, by two-thirds vote SB 337 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gorman	McKnight	Thomas
Anderson	Grizzle	Neal	Tobiassen
Carlucci	Hair	Peterson	Trask
Chamberlin	Holloway	Poole	Vogt
Childers, D.	Jenne	Scarborough	Ware
Childers, W. D.	Johnston	Skinner	Williamson
Dunn	MacKay	Spicola	
Fechtel	Maxwell	Steinberg	
Frank	McClain	Stuart	

Nays—None

Vote after roll call:

Yea—Myers

By the Committee on Education and Senator MacKay—

CS for SB 407—A bill to be entitled An act relating to education; amending s. 229.053(2), Florida Statutes; providing for the adoption of minimum standards of college-level communication and computation competencies; redesignating s. 229.551(3)(g), Florida Statutes, and adding new paragraphs (g)-(i) to said subsection; providing for the defining and maintaining of a list of college-level communication and computation skills and assessment procedures for measuring same; adding s. 230.754

(2)(k)-(m), Florida Statutes; providing that the boards of trustees may use appropriate college-level communication and computation tests as a basis for admissions counseling placement; amending s. 231.17(2), (3), Florida Statutes, 1978 Supplement; authorizing assignment of test administration to a state university; providing for model satisfactory teaching and internship programs; prescribing criteria for issuance of a regular teaching certificate; adding s. 236.081(3)(c), (d), Florida Statutes, 1978 Supplement; prescribing standards for compensation for inservice training activities; authorizing payment of tuition and fees under certain circumstances; amending s. 236.0811(2), Florida Statutes, 1978 Supplement; prescribing the date for annual updating of district master plans for inservice educational training; amending s. 239.795, Florida Statutes, 1978 Supplement; providing a prerequisite for admission into teacher education programs; prescribing criteria for approval of teacher education programs; renumbering s. 240.052(2)-(5), Florida Statutes, 1978 Supplement, and adding a new subsection (2) to said section; providing that the Board of Regents may require the use of scores on tests of college-level communication and computation skills as a condition for admission to upper division instructional programs; providing an effective date.

—was read the first time by title and SB 407 was laid on the table.

On motions by Senator MacKay, by two-thirds vote CS for SB 407 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Gorman	McKnight	Thomas
Anderson	Grizzle	Neal	Tobiassen
Carlucci	Hair	Peterson	Trask
Chamberlin	Hill	Scarborough	Vogt
Childers, W. D.	Johnston	Skinner	Ware
Dunn	MacKay	Spicola	
Fechtel	Maxwell	Steinberg	
Frank	McClain	Stuart	

Nays—None

Votes after roll call:

Yea—Holloway, Myers, Williamson

On motion by Senator MacKay, the rules were waived and CS for SB 407 was ordered immediately certified to the House.

Senator Johnston moved that Rule 4.17 be waived and all bills remaining on the special order calendar for this day be placed

on the special order calendar for Wednesday, May 16 following SB 1297. The motion was adopted by two-thirds vote.

ENROLLING REPORTS

CS for SB 40, SB 148 and SB 1293 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 9, 1979.

SB 98, SB 557 and SB 168 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 11, 1979.

Joe Brown, Secretary

CO-INTRODUCERS

Senator Maxwell—CS for SB 407; Senator Trask—SB 1145; Senator Steinberg—CS for SB 187

CORRECTION AND APPROVAL OF JOURNAL

The Journals of May 14 and 10 were corrected and approved.

The Journal of May 10 was further corrected and approved as follows:

Page 407, column 2, from bottom, line 9, strike the period and insert: or who is certified as legally blind

Page 408, column 1, between lines 24 and 25 insert: Senator Peterson moved the following amendment which was adopted:

The Journal of April 26 was further corrected and approved as follows:

Page 270, column 2 from bottom, line 21, after “*decision*” insert: *of the division*

Page 272, column 1, strike line 22 and insert: otherwise clearly in his or her best interests and that lump

Page 282, column 2, from bottom strike lines 25 and 26 and insert: subsections (5), (6), (7), and (8), respectively, and new subsection (4) is added to said section to read:

Page 298, column 2, from bottom, at the end of line 27 insert: ing forfeiture proceedings for such personal property; providing

The Senate adjourned at 12:05 p.m. to convene at 8:30 a.m., Wednesday, May 16, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.